

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Medical Education – Suspension of Medical Registration of Dr. A.Sai Ravi Shankar by A.P.Medical Council - Appeal petition filed before Appellate Authority – Appeal Petition allowed – Orders – Issued.

HEALTH, MEDICAL AND FAMILY WELFARE (E2) DEPARTMENT

G.O.Rt.No. 302

Dated 09 - 03- 2010

Read the following:-

1. From the APMC, Hyd., proceedings APMC/DC/015/ Case No.24/2008, dated 2.1.2010.
2. Appeal petitions filed by Dr. A.S. Ravi Shankar, MD, Karimnagar before the Government on 11-1- 2010 and 12.1.2010.
3. Govt.Letter No.704/E2/2010-2, dt.1.2.2010.
4. Govt. Letter No.704/E2/2010-3, dt.1.2.2010

O R D E R:

Dr. A.S.Ravi Shankar, R/o Karimnagar has filed an appeal under section 25 of the A.P.Medical Practitioners Registration Act, 1986, against the orders passed by the A.P.Medical Council vide their proceedings No.APMC/DC/015/ Case No.24/2008, dated 2.1.2010.

2. The A.P.Medical Council in their proceedings No.APMC/DC/015/Case No.24/2008, dated 2.1.2010 has passed the following orders against Dr. A.S.Ravi Shankar on a complaint filed by Dr. Kylas Pabba:-

“Therefore, it is hereby ordered that the name of Dr. A.Sai Ravi Shankar be removed from the Medical Register as per the provisions of Section 17(2) r/w Section 15 (4) of A.P.Medical Practitioners Registration Act, 1968 for a period of one month from the date of receipt of communication from this office in this regard and directed to surrender his original Registration Certificates of MBBS & MD forthwith”

3. Aggrieved by the above orders of the A.P.Medical Council, Dr. A.S. Ravi Shankar has filed an appeal before the Government on 11.1.2010 and on 12.1.2010 seeking the suspension of the orders and to allow his appeal in the interest of justice.

4. The above appeal of Dr. A.S.Ravi Shankar was admitted by the Government and the Government have stayed the orders of the A.P.Medical Council passed vide proceedings No.APMC/DC/015/Case No.24/2008, dated 2.1.2010, pending disposal of the appeal, subject to the condition that Dr. A.S. Ravi Shankar shall not use/ suffix the qualifications of DNB (Card-NIMS) and D.Card till the disposal of the Appeal, vide Govt. Lr.No.704/E2/2010-1, dt.29.1.2010.

5. The appeal was posted for hearing on 11.2.2010 at 11.30 A.M. The applicant Dr. A.S.Ravi Shankar and the officials of the A.P.Medical Council were present and submitted their arguments.

6. It is observed that the A.P.Medical Council has passed their orders against Dr. A.S. Ravi Shankar on the following grounds:-

1. Dr. A.S.Ravi Shankar did not register himself with the A.P.Medical Council, till February, 2009, whereas he was practicing in Karimnagar for the past 5-6 years, which is contrary to the provisions of the A.P.Medical Practitioners Registration Act, 1968.
2. Dr. A.S.Ravi Shankar has been displaying as suffix to his name, the unrecognized diploma and also displaying the DNB Card (NIMS) Hyderabad, whereas it appears that he underwent training for DNB for a few months.

7. In his defense, Dr. A.S.Ravi Shankar has submitted that

- (i) he has completed MBBS from M.K.C.G. Medical College, Berhampur (Orissa) in April 1994 completed MD (General Medicine) from SCB Medical College, Cuttack. Further he completed 2 years of Diploma in Cardiology from NIMS, Hyderabad, which is a prestigious Deemed University. He further submitted that after completing MD in Cuttack, he registered his name in Orissa. He did not know that he should again register before the A.P.Medical Council, to practice in Andhra Pradesh. It is his contention, that such a registration is not envisaged in IMC Act, 1956, which is applicable to the whole of India except the State of Jammu and Kasmir. On coming to know, to register himself again in Andhra Pradesh, he registered his name as a Medical Practitioner before the A.P.Medical Council in February, 2009. In view of his ignorance about the rule position, he pleaded that he may be pardoned on this account.
- (ii) that he has done two years course in Diploma in Cardiology in the prestigious institute of NIMS, Hyderabad. This course is a full time course for two years, and he was paid stipend also on par with the other P.G. Students during this period. Just because the above course is not recognized by the Medical Council of India (MCI) he should not be penalized for displaying the Diploma in Cardiology as a suffix to his name. He cited many examples wherein some doctors and officials have suffixed unrecognized Degrees and Diplomas and also their membership in various medical and other professions organizations.
- (iii) that he underwent training in DNB in Cardiology in Apollo Hospital for about seven months (from April 2000 to February, 2001) which he latter discontinued after he joined Diploma in Cardiology in NIMS during March 2001. On realizing that he should not suffix incomplete Degree or Diploma, he has stopped writing DNB (TRG) as a suffix since March, 2008. Since he is doing only non-interventional procedures in Cardiology, there is no harm if he practices as a Consultant (Cardiology). In this regard, it is stated that not a single patient complained against him for the last six years in Karimnagar.

- (iv) that the complainant Dr. Kylas Pabba has leveled baseless allegations against him only due to professional rivalry. It is also alleged that the complainant went to the extent of printing and distributing an unauthorized pamphlet on behalf of the A.P. Medical Council. A copy of such a pamphlet has been produced as evidence in the above hearing.
- (v) that he never violated any professional ethics and he is also conducting welfare activities in Karimnagar, through Lions Club for which he is Vice President and Medical Director. He pleaded not guilty of any deviation of ethics and requested the Government:-
 - i) to revoke the suspension of the A.P. Medical Council with immediate effect.
 - ii) to allow him to suffix the Diploma in Cardiology from NIMS.

8. The officials of the A.P. Medical Council have reiterated that Dr. A.S. Ravi Shankar has violated professional ethics and the orders passed by the A.P. Medical Council are in accordance with the Code of Ethics Regulations, 2002 of MCI and the A.P. Medical Practitioners Registration Act, 1986.

9. After hearing the arguments and perusing the records, it is observed that Dr. A.S. Ravi Shankar has indeed not register himself till February, 2009 before the A.P. Medical Council as required by the statute, reportedly on ignorance. Though ignorance cannot be condoned, since he registered himself before the A.P. Medical Council in February 2009 belatedly, it is considered that a lenient view be taken on this count, giving benefit of doubt in favour of the individual.

10. Government after careful consideration hereby revoke the suspension period of Dr. A.S. Ravi Shankar as ordered by the A.P. Medical Council vide their Proceeding No. APMC/DC/015/Case No.24/2008, dated 2.1.2010

11. With regard to the request for allowing the applicant to suffix unrecognized Degrees, separate orders will be issued after due consultation with the other competent authorities.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J. SATYANARAYANA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The A.P. Medical Council, Hyderabad.
Dr. A.S. Ravi Shankar,
Court Chowastha, Opp:Sri Raja Rejeswari
Kalyanmandapam, Karimnagar-505002.
The Director, Nizam's Institute of Medical Sciences, Hyderabad.
Copy to O.S.D. to M(ME)
Sf/Sc.

// FORWARDED :: BY ORDER //

SECTION OFFICER